

1701x(c)(9)) is amended by striking "September 30, 1994" and inserting "September 30, 1997".

(b) PREPURCHASE AND FORECLOSURE-PREVENTION COUNSELING DEMONSTRATION.—Section 106(d)(13) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(d)(13)) is amended by striking "fiscal year 1994" and inserting "fiscal year 1997".

#### SEC. 3. NOTIFICATION OF DELINQUENCY ON VETERANS HOME LOANS.

Subparagraph (C) of section 106(c)(5) of the Housing and Urban Development Act of 1968 is amended to read as follows:

"(C) NOTIFICATION.—Notification under subparagraph (A) shall not be required with respect to any loan for which the eligible homeowner pays the amount overdue before the expiration of the 45-day period under subparagraph (B)(ii)."

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x) is amended—

(1) in subsection (a), by striking paragraph (3);

(2) in subsection (c)—

(A) by striking paragraph (8); and

(B) by redesignating paragraph (9) (as amended by section 2) as paragraph (8);

(3) in subsection (d)—

(A) by striking paragraph (12); and

(B) by redesignating paragraph (13) (as amended by subsection (a)) as paragraph (12);

(4) in subsection (f), by striking paragraph (7); and

(5) by adding at the end the following new subsection:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$62,000,000 for fiscal year 1996 and \$65,000,000 for fiscal year 1997. Of any amounts appropriated for any such year to carry out this section, the Secretary shall use not less than 50 percent to carry out subsection (c) and the Secretary may use 50 percent (or such lesser amount as may be appropriate) for counseling for renters. Any amounts appropriated pursuant to this subsection shall remain available until expended."

SALUTE TO DR. JOSEPH D.  
PATTERSON, SR.

**HON. THOMAS M. FOGLIETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 11, 1995*

Mr. FOGLIETTA. Mr. Speaker, I rise to salute Dr. Joseph D. Patterson as he is installed as the president of the Black Clergy of Philadelphia at Hickman Temple A.M.E. Church on January 8. Dr. Patterson takes over the presidency of the Black Clergy, one of the most influential positive social forces in the city, from Rev. Jesse Brown who has lead the organization over the past years with great dignity and ability.

Dr. Patterson is a great leader in the Philadelphia community. He is a trustee at Cheyney University, a board member of the Philadelphia Industrial Development Corp., chairman of the board of the Baltimore Avenue Redevelopment Corp., and has served over the past years as first vice president of the Black Clergy before his election to the presidency.

Dr. Patterson's commitment to the strengthening of the community is well known. He believes unfailing in a comprehensive approach to solving society's problems, and has been

an outspoken advocate for health care improvement, the strengthening of the family, the importance of education, and the elimination of violence in our neighborhoods.

I join with Dr. Patterson's friends, family, and the entire Philadelphia community in wishing him the best of luck at his new post, and look forward to many years of his expedient leadership.

25th ANNIVERSARY OF BRUCE  
COLLINS ELEMENTARY SCHOOL

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 11, 1995*

Mr. LEVIN. Mr. Speaker, I rise today to recognize the 25th anniversary of Bruce Collins Elementary School in Sterling Heights, MI. This anniversary was celebrated November 23, 1994.

Many times this body has heard discussions about problems with our education system. Collins Elementary School clearly does not fit this category. Collins Elementary school has actively pursued a partnership with the parents in order to form a better learning environment. The teaching staff has also played a major role in the school's 25 successful years. The teachers' 100 percent participation on the school improvement team is just one example of their commitment to the students. The major leader in Collins' success has been Principal Don Santilli who has directed the school for over 15 years.

With over 448 students the school has developed and implemented many programs to extend beyond the standard classroom learning environment. One such program is HOT in which students learn about the hazards of tobacco from the American Cancer Society. Another more renown program is DARE. This is an innovative drug prevention program which not only teaches the danger of tobacco, alcohol, and drugs but also instructs the students through practical situations, how to avoid these substances.

Bruce Collins Elementary School is much more than the simple brick and mortar of some facilities. This school has been instrumental in the teaching of students for over 25 years in the important early years of elementary school.

Mr. Speaker, I applaud the 25 years of successful education at Bruce Collins Elementary School and am sure that the next 25 years of this fine institution will be equally, if not more, successful.

MACBRIDE PRINCIPLES BILL, H.R.  
470

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 11, 1995*

Mr. GILMAN. Mr. Speaker, today I rise to introduce the MacBride Principles Bill H.R. 470. I am pleased to be joined by my distinguished colleague, the gentleman from New York [Mr. MANTON], as an original cosponsor of this important measure. I am also pleased to cochair the bipartisan ad hoc Committee for Irish Affairs with Mr. MANTON.

Fair employment for Catholics in Northern Ireland is an issue that has concerned me for a very long time. For example, in a letter as far back as July 20, 1979, I requested the Irish National Caucus to investigate hiring practices of United States companies in Northern Ireland. This was the first time this issue was raised by anyone in the U.S. Congress.

The caucus investigation lead to a congressional bill H.R. 3465: "Requiring United States persons who conduct business or control enterprises in Northern Ireland to comply with certain fair employment principles," 1983. I was a proud cosponsor of that bill in time this led to the Irish National Caucus launching the MacBride Principles bill in November of 1984. On October 1, 1986, I was cosponsor of the congressional MacBride bill. This is the bill I proudly reintroduce today as the 104th Congress begins legislative business.

This bill would prohibit United States companies in Northern Ireland from exporting their products back to the United States unless they are in compliance with the MacBride Principles.

The MacBride Principles campaign in the United States has been the most effective effort ever against anti-Catholic discrimination in Northern Ireland. Informed observers would agree that it has played a key role in putting the issue of anti-Catholic discrimination on the front burner. It was instrumental in bringing about the British Government's Fair Employment Act of 1989.

The MacBride Principles have won the support of the Irish Government, the European Parliament, and the President of the United States. Mr. Clinton as a candidate pledged during the 1992 Presidential campaign that he would support the principles. As President, on St. Patrick's Day in 1993 in the White House, Mr. Clinton reaffirmed his support for the principles. They have been passed into law in 16 States, including my own great State of New York. Over 40 cities have also passed laws or resolutions on the principles. Indeed, the U.S. Congress allowed the principles to become law for the District of Columbia on March 16, 1993.

Recently the Protestant and Catholic churches in Ireland joined with Protestant and Catholic churches of the United States of America and issued a call for fair employment and investment in Northern Ireland. This is what they said about the MacBride Principles.

Many Americans support the MacBride Principles, as amplified, as good faith, non-violent means to promote fair employment. We urge that any support of these amplified principles, which offer positive values and focus on fair employment, be joined with continued support for strong, fair, employment measures and as an active commitment to investment and job creation. The amplified principles, as many of their advocates agree, should not be used to discourage investment or encourage disinvestment.

Since 1986, over 100 Members of Congress have declared their support for the MacBride principles, as has the current Clinton administration, as well. Now, surely with peace moving forward and political solutions being sought for Northern Ireland, it is time for Congress to pass the MacBride principles, and also incorporate the principles as part of any planned increase in economic development assistance and new United States investment

we are encouraging into Northern Ireland in aid of the ongoing peace process.

The methods we use to help address the twin problems of unemployment and discrimination, especially in the Catholic community, can and will play a important role in the chances for lasting peace and justice developing in Northern Ireland. For without a shared and equally distributed economic development, among both traditions, peace and justice may never take firm and lasting hold in Northern Ireland. The MacBride principles provide us a real tool to help being all these important goals to fruition, and avoid merely maintaining the totally unacceptable status quo of twice the level of Catholic unemployment in Northern Ireland.

Accordingly, I urge my colleagues concerned about lasting peace and justice in Northern Ireland to support the bill we are introducing today. I request that the full text of this measure be included at this point in the RECORD.

H.R. 470

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Ireland Fair Employment Practices Act of 1995".

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) Currently, overall unemployment in Northern Ireland is approximately 13 percent, as compared to 9 percent in the rest of the United Kingdom.

(2) Unemployment in the minority community in Northern Ireland is 22.8 percent, and in some portions of the minority community unemployment has historically exceeded 70 percent.

(3) The British Government Fair Employment Commission (F.E.C.), formerly the Fair Employment Agency (F.E.A.), has consistently reported that a member of the minority community is two times more likely to be unemployed than a member of the majority community.

(4) The Investor Responsibility Research Center (IRRC), Washington, District of Columbia, lists 80 publicly held United States companies doing business in Northern Ireland, which employ approximately 11,000 individuals.

(5) The religious minority population of Northern Ireland is subject to discriminatory hiring practices by some United States businesses which have resulted in a disproportionate number of minority individuals holding menial and low-paying jobs.

(6) The MacBride Principles are a nine point set of guidelines for fair employment in Northern Ireland which establishes a corporate code of conduct to promote equal access to regional employment but does not require disinvestment, quotas, or reverse discrimination.

#### SEC. 3. RESTRICTION ON IMPORTS.

An article from Northern Ireland may not be entered, or withdrawn from warehouse for consumption, in the customs territory of the United States unless there is presented at the time of entry to the customs officer concerned documentation indicating that the enterprise which manufactured or assembled such article was in compliance at the time of manufacture with the principles described in section 5.

#### SEC. 4. COMPLIANCE WITH FAIR EMPLOYMENT PRINCIPLES.

(a) COMPLIANCE.—Any United States person who—

(1) has a branch or office in Northern Ireland, or

(2) controls a corporation, partnership, or other enterprise in Northern Ireland, in

which more than twenty people are employed shall take the necessary steps to insure that, in operating such branch, office, corporation, partnership, or enterprise, those principles relating to employment practices set forth in section 5 are implemented and this Act is complied with.

(b) REPORT.—Each United States person referred to in subsection (a) shall submit to the Secretary—

(1) a detailed and fully documented annual report, signed under oath, on showing compliance with the provisions of this Act; and

(2) such other information as the Secretary determines is necessary.

#### SEC. 5. MACBRIDE PRINCIPLES.

The principles referred to in section 4 are the MacBride Principles, which are as follows:

(1) INCREASING THE REPRESENTATION OF INDIVIDUALS FROM UNDERREPRESENTED RELIGIOUS GROUPS IN THE WORK FORCE INCLUDING MANAGERIAL, SUPERVISORY, ADMINISTRATIVE, CLERICAL, AND TECHNICAL JOBS.—A workforce that is severely unbalanced may indicate prima facie that full equality of opportunity is not being afforded all segments of the community in Northern Ireland. Each signatory to the MacBride Principles must make every reasonable lawful effort to increase the representation of underrepresented religious groups at all levels of its operations in Northern Ireland.

(2) ADEQUATE SECURITY FOR THE PROTECTION OF MINORITY EMPLOYEES BOTH AT THE WORKPLACE AND WHILE TRAVELLING TO AND FROM WORK.—While total security can be guaranteed nowhere today in Northern Ireland, each signatory to the MacBride Principles must make reasonable good faith efforts to protect workers against intimidation and physical abuse at the workplace. Signatories must also make reasonable good faith efforts to ensure that applicants are not deterred from seeking employment because of fear for their personal safety at the workplace or while travelling to and from work.

(3) THE BANNING OF PROVOCATIVE RELIGIOUS OR POLITICAL EMBLEMS FROM THE WORKPLACE.—Each signatory to the MacBride Principles must make reasonable good faith efforts to prevent the display of provocative sectarian emblems at their plants in Northern Ireland.

(4) ALL JOB OPENINGS SHOULD BE ADVERTISED PUBLICLY AND SPECIAL RECRUITMENT EFFORTS MADE TO ATTRACT APPLICANTS FROM UNDERREPRESENTED RELIGIOUS GROUPS.—Signatories to the MacBride Principles must exert special efforts to attract employment applications from the sectarian community that is substantially underrepresented in the workforce. This should not be construed to imply a diminution of opportunity for other applicants.

(5) LAYOFF, RECALL, AND TERMINATION PROCEDURES SHOULD NOT IN PRACTICE FAVOR A PARTICULAR RELIGIOUS GROUP.—Each signatory to the MacBride Principles must make reasonable good faith efforts to ensure that layoff, recall, and termination procedures do not penalize a particular religious group disproportionately. Layoff and termination practices that involve seniority solely can result in discrimination against a particular religious group if the bulk of employees with greatest seniority are disproportionately from another religious group.

(6) THE ABOLITION OF JOB RESERVATIONS, APPRENTICESHIP RESTRICTIONS, AND DIFFERENTIAL EMPLOYMENT CRITERIA WHICH DISCRIMINATE ON THE BASIS OF RELIGION.—Signatories to the MacBride Principles must make reasonable good faith efforts to abolish all differential employment criteria whose effect is discrimination on the basis of religion. For example, job reservations, and apprenticeship regulations that favor relatives of cur-

rent or former employees can, in practice, promote religious discrimination if the company's workforce has historically been disproportionately drawn another religious group.

(7) THE DEVELOPMENT OF TRAINING PROGRAMS THAT WILL PREPARE SUBSTANTIAL NUMBERS OF CURRENT MINORITY EMPLOYEES FOR SKILLED JOBS INCLUDING THE EXPANSION OF EXISTING PROGRAMS AND THE CREATION OF NEW PROGRAMS TO TRAIN, UPGRADE, AND IMPROVE THE SKILLS OF MINORITY EMPLOYEES.—This does not imply that such programs should not be open to all members of the workforce equally.

(8) THE ESTABLISHMENT OF PROCEDURES TO ASSESS, IDENTIFY, AND ACTIVELY RECRUIT MINORITY EMPLOYEES WITH POTENTIAL FOR FURTHER ADVANCEMENT.—This section does not imply that such procedures should not apply to all employees equally.

(9) THE APPOINTMENT OF A SENIOR MANAGEMENT STAFF MEMBER TO OVERSEE THE COMPANY'S AFFIRMATIVE ACTION EFFORTS AND THE SETTING UP OF TIMETABLES TO CARRY OUT AFFIRMATIVE ACTION PRINCIPLES.—In addition to the above, each signatory to the MacBride Principles is required to report annually to an independent monitoring agency on its progress in the implementation of these Principles.

#### SEC. 6. WAIVER OF PROVISIONS.

(a) WAIVER OF PROVISIONS.—In any case in which the President determines that compliance by a United States person with the provisions of this Act would harm the national security of the United States, the President may waive those provisions with respect to that United States person. The President shall publish in the Federal Register each waiver granted under this section and shall submit to the Congress a justification for granting each such waiver. Any such waiver shall become effective at the end of ninety days after the date on which the justification is submitted to the Congress unless the Congress, within the ninety-day period, adopts a joint resolution disapproving the waiver. In the computation of such ninety-day period, there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than three days to a day certain or because of an adjournment of the Congress sine die.

(b) CONSIDERATION OF RESOLUTIONS.—

(1) Any resolution described in subsection (a) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

(2) For the purpose of expediting the consideration and adoption of a resolution under subsection (a) in the House of Representatives, a motion to proceed to the consideration of such resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.

#### SEC. 7. DEFINITIONS AND PRESUMPTIONS.

(a) DEFINITIONS.—For the purpose of this Act—

(1) the term "United States person" means any United States resident or national and any domestic concern (including any permanent domestic establishment of any foreign concern);

(2) the term "Secretary" means the Secretary of Commerce; and

(3) the term "Northern Ireland" includes the counties of Antrim, Armagh, Londonderry, Down, Tyrone, and Fermanagh.

(b) PRESUMPTION.—A United States person shall be presumed to control a corporation, partnership, or other enterprise in Northern Ireland if—

(1) the United States person beneficially owns or controls (whether directly or indirectly) more than 50 percent of the outstanding voting securities of the corporation, partnership, or enterprise;

(2) the United States person beneficially owns or controls (whether directly or indirectly) 25 percent or more of the voting securities of the corporation, partnership, or enterprise, if no other person owns or controls (whether directly or indirectly) an equal or larger percentage;

(3) the corporation, partnership, or enterprise is operated by the United States person pursuant to the provisions of an exclusive management contract;

(4) a majority of the members of the board of directors of the corporation, partnership, or enterprise are also members of the comparable governing body of the United States person;

(5) the United States person has authority to appoint the majority of the members of the board of directors of the corporation, partnership, or enterprise; or

(6) the United States person has authority to appoint the chief operating officer of the corporation, partnership, or enterprise.

#### SEC. 8. EFFECTIVE DATE.

This act shall take effect 180 days after the date of enactment of this Act.

### CLARIFYING THE RIEGLE-NEAL INTERSTATE BANKING ACT

#### HON. BILL ORTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 11, 1995*

Mr. ORTON. Mr. Speaker, I rise to provide clarification of the Riegle-Neal Interstate Banking and Branching Act of 1994.

Last year, I was proud to be an original cosponsor of H.R. 3841, the House version of interstate banking legislation which became law. I participated both in subcommittee and full committee consideration of this important legislation. I worked hard to see this legislation work its way through the House to become law. I believe passage of this bill was an important step toward the modernization and full development of our banking system.

Therefore, I was disturbed to see a recent appellate court decision that, in my opinion, misinterprets the provisions of this interstate banking bill. The decision I am referring to is *Mazaika v. Bank One Columbus, N.A.* No. 00231 (Pa. Superior Court 1994) (en banc). Incidentally, other courts have reached the opposite conclusion.

The Mazaika 6 to 3 majority ruled that a national bank located in Ohio was not authorized by section 85 of the National Bank Act to collect certain credit card charges from Pennsylvania residents. Collection of such charges is permitted under Ohio State law, but not under Pennsylvania State law. This decision relied on the applicable law provision of last year's interstate banking act in reaching the conclusion that Pennsylvania State law applies in such a case, notwithstanding section 85.

Based on my involvement in the legislative consideration of this bill, and on my understanding of its specific provisions, I believe that the conclusion reached in the Mazaika case is wrong. First, the applicable law provision in the interstate bill applies only when a bank branches into a second State. In such a

case, the provision subjects the branch of a bank to the State laws of this second State unless those laws are preempted. In the case in point, however, no branching is involved. Therefore, section 85 is preemptive. In the case in point, the Ohio bank should not be subject to Pennsylvania limitations on credit charges.

Second, there is a savings clause in the interstate law that provides that nothing in the interstate law affects section 85 of the National Bank Act. As a result, the interstate law effectively preserves the lending authority of a national bank or State bank to collect lending charges on interstate loans from borrowers nationwide in accordance with the bank's home State limits.

Finally, while it is not relevant to legislative language or intent, it is my opinion that the Mazaika opinion, if upheld, could have a very detrimental effect on free-fettered banking activities. Philosophically, I believe in States rights. I believe that Federal laws should be preemptive only where there is an overriding need to provide national uniformity.

However, this is one such case where national rules should be preemptive. Subjecting lending activities of a bank in another State, where there are no branches, to that other State's limitations on credit card charges or usury limits would have a dampening effect on important interstate lending activities. This would also be contrary to the spirit and intent of the interstate banking bill, which is to expand lending activities nationwide.

Mr. Speaker, many Members of Congress spent countless hours last year crafting an interstate banking bill that increases credit availability and moves us into the 21st century. The Mazaika decision threatens this progress. It is my hope that this can be corrected.

### CONGRATULATIONS TO LADY OLYMPIANS OF MARATHON, NY

#### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 11, 1995*

Mr. WALSH. Mr. Speaker, the biggest news in Marathon, NY, recently was the celebration surrounding the victorious Girls Field Hockey team, winners of the Class D New York State Championship. I ask my colleagues to join me today in adding our congratulations to the lady Olympians of Marathon High School who played on the team, the coaching staff and school staff, the fans who supported them so energetically throughout the season, and especially to the families and friends who traveled with the team to all the road games—notably, the 3-to-2 win in the State Championship game against North Warren at the State University of New York at Oneonta.

In the 21 years field hockey has been played in Marathon, a small and idyllic community in my upstate New York district, this is the first State Championship. We are all very proud.

The local celebrations have given residents a chance to display that pride, from the first night when the team returned home and fire sirens blared to the official ceremony at Lovell Field when each player and coach had time in the spotlight.

The girls have displayed the best competitive spirit as well as the best athletic performance. They have achieved much more than a series of victories, they have attained the satisfaction of personal best. While I salute their thrilling winning season, I applaud their outstanding individual drive.

The team is: Alissa Altmann, Annette Ando, Jenna Brown, Diana Contri, Carrie Ensign, Arlene Hallock, Jennie Lavens, Lela Leyburn, Hilary Matson, Bobbie McAllister, Gina Moyers, Tina Owen, Jen Potter, Kelli Reid, Joanna Ryan, Rachel Smith, Carla Tagliente, Tessa Warner, and Coach Karen Funk—who is responsible for the program's existence and its origin.

Mr. Speaker, I do not intend to overstate this accomplishment for it is in a field of sport—and not anything that directly relates to our business here today. But, when we honor the attainment of goals by these young people, we share their joy and their sense of community, a motivator for them which has been in abundance this season.

### INTRODUCTION OF THE ECONOMIC DEVELOPMENT LOAN ASSIST- ANCE DEMONSTRATION PRO- GRAM ACT OF 1995

#### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 11, 1995*

Mr. TRAFICANT. Mr. Speaker, today I am introducing the Economic Development Loan Assistance Demonstration Program Act of 1995 to incentivize private sector investment in our Nation's most needy areas.

When President Clinton announced the establishment of more than 100 enterprise communities and empowerment zones last month, the Federal Government signaled that it is willing to provide incentives to entrepreneurs, small businesses, and nonprofit groups who look to locate in our depressed communities. I reintroduced this bill to enhance this worthy initiative.

Specifically, the bill authorizes the Secretary of Housing and Urban Development [HUD] to make grants to bank Community Development Corporations [CDC's] that have targeted Federal enterprise communities for revitalization. The CDC's are then authorized to use the grant moneys to buy down interest rates on loans to businesses and nonprofit organizations that engage in economic redevelopment activities in the enterprise communities. The new rate cannot exceed 60 percent of the market rate of interest on the loan.

I understand that money for new programs is scarce. I also understand the need to test market new ideas before diverting precious resources to fund them. This is why my legislation specifies that the program be established in only five Federal enterprise zones. It is also why the measure requires a review of the entire program in a report to Congress within 1 year of its enactment. The report enables Congress to determine the cost effectiveness of the program, which is authorized from fiscal year 1994 through fiscal year 1996 at a level of approximately \$33 million each year.